

UNITED STATES DISTRICT COURT

DISTRICT OF MINNESOTA

Women's Life Care Center, et al.,

Civil File No. 24-cv-04250 (NEB/SGE)

Plaintiffs,

vs.

Keith Ellison, et al.,

**DEFENDANT
COMMISSIONER BROWN'S
MOTION TO DISMISS**

Defendants.

TO: The Administrator of the Above-Named Court, Plaintiff Women's Life Center, Attorneys Harold C. Knecht, III, 20 Doral Road, Dellwood, MN 55110; Harold J. Cassidy, Joseph R. Zakhary, Derek M. Cassidy, Thomas J. Viggiano, III, The Cassidy Law Firm; Gene Schaerr, Schaerr Jaffe, LLP; James Ronan, Ronan, Tuzzio & Giannone, and all Counsel of Record

Commissioner Tikki Brown of the Minnesota Department of Children, Youth, and Families, in her official capacity, joins the State Defendants' Motion to Dismiss Plaintiffs' Amended Complaint filed on April 18, 2025, (ECF No. 163) by Defendants Minnesota Attorney General Keith Ellison, Minnesota Governor Tim Walz, Minnesota Department of Human Services Temporary Commissioner Shireen Gandhi, Minnesota Department of Health Commissioner Brooke Cunningham, Minnesota Board of Medical Practice President Pamela Gigi Chawla, Minnesota Board of Nursing President Jessica Mieke, and Minnesota Board of Pharmacy President Ronda Marie Chakolis-Hassan, all in their official capacities ("State Defendants").

Commissioner Brown was served with the Complaint on July 10, 2025, well after the State Defendants' Motion to Dismiss was filed. The arguments previously submitted

for this motion apply equally to Commissioner Brown, and there is not a need for further briefing or argument because it would be entirely duplicative of what has already been filed and heard. Further, the Plaintiffs' memorandum of law in opposition to the State Defendants' motion addressed their arguments against Commissioner Brown. (ECF No. 189 at 11, 67.) The State Defendants responded to Plaintiffs' arguments against Commissioner Brown in their reply memorandum. (ECF No. 194 at p. 15 n. 8.)

State Defendants' Motion to Dismiss was heard the morning after Commissioner Brown was served, on July 11, 2025. At the hearing, Counsel for State Defendants Margaret Jacot notified the Court that Commissioner Brown wished to join the motion. She was directed to file after the hearing.

This motion is made pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6) for an Order dismissing Plaintiff's Amended Complaint (ECF No. 161) for lack of subject matter jurisdiction and for failure to state a claim upon which relief can be granted. This motion is based upon the files, records, and proceedings herein, including the Memorandum of Law in Support of State Defendants' Motion to Dismiss Plaintiffs' Amended Complaint (ECF No. 166), the Reply Memorandum of Law in Support of State Defendants' Motion to Dismiss (ECF No. 194), the Declaration of Margaret Jacot in Support of State Defendants' Motion to Dismiss (ECF No. 52) and the Second Declaration of Margaret Jacot in Support of State Defendants' Motion to Dismiss (ECF No. 195), all filed and served in connection with the original motion, and the hearing held on July 11, 2025. (ECF No. 211.) Commissioner Brown requests that the Court dismiss all claims against her with prejudice.

Dated: July 22, 2025

KEITH ELLISON
Attorney General
State of Minnesota

s/ Margaret Jacot

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